

Serial No. **50772**

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER  
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE  
STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office **APR 2 1987**

Returned to applicant for correction.....

Corrected application filed..... Map filed **APR 2 1987**

The applicant **Robert L. and Fern A. Harbecke**

**Star Route 5, Box 27** of **Ely**  
Street and No. or P.O. Box No. City or Town

**Nevada 89301** hereby make S application for permission to change the  
State and Zip Code No.

**Point of Diversion**

Point of diversion, manner of use, and/or place of use  
of water heretofore appropriated under **Application No. 45722**

(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and  
Identify right in Decree.)

1. The source of water is **Willard Creek**  
Name of stream, lake, underground spring or other source.
2. The amount of water to be changed **6.5 c.f.s.**  
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for **Irrigation & Domestic**  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
4. The water heretofore permitted for **Irrigation & Domestic**  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
5. The water is to be diverted at the following point **in the NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 12, T.13N., R.67E.,**  
Describe as being within a 40-acre subdivision of public survey and by course and  
**M.D.B.&M., whence the Northeast Corner of Section 1, T.13N., R.67E., M.D.B.&M.**  
distance to a section corner. If on unsurveyed land, it should be stated.  
**bears N.42°22'27"E., 7,400.38 feet distant.**
6. The existing permitted point of diversion is located within **the NE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 15, T.13N.,**  
If point of diversion is not changed, do not answer.  
**R.67E., M.D.B.&M., whence the Southwest Corner of said Section 15 bears S.**  
**51°43'47"W., 3,397.09 feet distant.**
7. Proposed place of use.....  
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
8. Existing place of use **NW $\frac{1}{4}$  SW $\frac{1}{4}$ , portions of the S $\frac{1}{2}$  SW $\frac{1}{4}$  of Section 15; N $\frac{1}{2}$  SE $\frac{1}{4}$ , portions**  
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or  
**of the S $\frac{1}{2}$  SE $\frac{1}{4}$ , NE $\frac{1}{4}$  SW $\frac{1}{4}$ , portions of the SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 16, T.13 N.,**  
manner of use of irrigation permit, describe acreage to be removed from irrigation.  
**R.67 E., M.D.B. & M., 330 acres.**
9. Use will be from **January 1st** to **December 31st** of each year.  
Month and Day Month and Day
10. Use was permitted from **January 1st** to **December 31st** of each year.  
Month and Day Month and Day
11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and  
specifications of your diversion or storage works.) **Water will be diverted from the creek**  
channel by a headgate and transported through **state manner in which water is to be diverted, i.e. diversion structure, ditches,**  
**a 12" diameter pipeline to the place of use where it will be distributed by a sprinkler**  
pipes and flumes, or drilled well, etc. **system.**
12. Estimated cost of works **\$20,000.00**
13. Estimated time required to construct works **3 years**

14. Estimated time required to complete the application of water to beneficial use 5 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

By s/Richard W. Forman  
Richard W. Forman Agent  
P.O. Box 150  
Ely, Nevada 89301

Compared bc/bl pm/se

Protested

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion of the waters of Willard Creek as heretofore granted under Permit 45722, is issued subject to the terms and conditions imposed in said Permit 45722, and with the understanding that no other rights on the source will be affected by the change proposed herein. A substantial headgate and measuring device must be installed and maintained to facilitate the measurement and control of water. The State reserves the right to regulate the use of the water under this proposed change at any and all times.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 6.5 cubic feet per second, but not to exceed 1320 acre-feet annually, but not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before August 18, 1989

Proof of completion of work shall be filed before September 18, 1989

Application of water to beneficial use shall be made on or before August 18, 1991

Proof of the application of water to beneficial use shall be filed on or before September 18, 1991

Map in support of proof of beneficial use shall be filed on or before September 18, 1991

Completion of work filed NOV 28 1994  
Proof of beneficial use filed OCT 17 1996  
Cultural map filed OCT 17 1996

IN TESTIMONY WHEREOF, I PETER G. MORROS  
State Engineer of Nevada, have hereunto set my hand and the seal of  
my office, this 18th day of August

Certificate No. 14454 Issued NOV 25 1996